

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

ERNEST RANDAL COMEAUX

CIVIL ACTION NO. 06-0367

VERSUS

JUDGE S. MAURICE HICKS, JR.

RICHARD STALDER, ET AL.

MAGISTRATE JUDGE HORNSBY

**ORDER**

Petitioner, a state prisoner filing pro se, has requested that this Court permit him to proceed *in forma pauperis* on appeal pursuant to 28 U.S.C. § 1915.

Upon review of the record, the Court finds that petitioner has failed to submit a complete application to proceed *in forma pauperis* as required by § 1915(a). The relevant portion of this statute provides that a prisoner seeking to appeal a judgment of the district court without prepayment of fees or security therefore shall submit:

1. An affidavit that includes a statement of all assets he possesses; and
2. A certified copy of his prisoner account statement for the last six months, obtained from the appropriate official at the prison or correctional facility; and
3. A signed form authorizing the institution of incarceration to forward from his account to the Clerk of Court any partial filing fee assessed by the Court and to forward monthly payments thereafter of 20 percent of the prisoner's preceding month's income credited to his prison account until the full amount of the filing fee is paid.

Only after receiving the three documents listed above and determining that the prisoner is unable to pay the full filing fee will the court allow the prisoner to proceed *in forma pauperis*.

In accordance with the above,

**IT IS ORDERED** that petitioner shall submit, by **December 19, 2006**, an affidavit in

support of the motion to proceed *in forma pauperis*, an inmate account summary for the past six months of incarceration completed by the prison accounts officer, and a completed authorization form authorizing the institution of incarceration to withdraw and forward any required initial partial filing fee and monthly payment to the Clerk of court until the filing fee is paid in full. Failure to do so may result in dismissal of petitioner's appeal or other appropriate sanctions.

**THUS DONE AND SIGNED** in chambers at Shreveport, Louisiana, this 29<sup>th</sup> day of November, 2006.



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S. MAURICE HICKS, JR.  
UNITED STATES DISTRICT JUDGE